

3236. Misbranding of adhesive compresses. U. S. v. 16 Boxes * * *. (F. D. C. No. 29089. Sample No. 50850-K.)

LABEL FILED: May 3, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about October 31, 1949, from Los Angeles, Calif.

PRODUCT: 16 boxes of *adhesive compresses* at Seattle, Wash., in possession of the Safety & Supply Co.

RESULTS OF INVESTIGATION: The product was unlabeled when shipped, and the labels borne on the boxes at the time of seizure were those affixed by the consignee. The product consisted of an absorbent gauze compress affixed to a strip of film, the ends of which were coated with an adhesive composition.

At the time of the examination, the product was contaminated with viable micro-organisms.

LABEL, IN PART: (Box) "100 Transparent Clear First Aid Bands Adhesive Compresses Pkgd By Safety & Supply Co., Seattle, Wash."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "First Aid" was false and misleading since the article was not sterile and thereby was not suitable for first aid; and, Section 502 (g), the article purported to be and was represented as "Adhesive Absorbent Gauze [or "Adhesive Absorbent Compress"]," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, and it was not packaged as prescribed therein since the units were not individually wrapped. The compendium provides that "Each Adhesive Absorbent Gauze is packaged individually in such manner that sterility is maintained until the individual package is opened. One or more individual packages are packed in a second protective container." The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: September 11, 1950. Default decree of condemnation and destruction.

3237. Misbranding of vacuum stimulator. U. S. v. Arthur T. Ricard (Ricard Mfg. Co.). Plea of guilty. Fine, \$30. (F. D. C. No. 24279. Sample Nos. 19222-K, 22336-K, 30051-K.)

INFORMATION FILED: November 22, 1948, District of Nebraska, against Arthur T. Ricard, trading as the Ricard Mfg. Co., Omaha, Nebr.

ALLEGED SHIPMENT: On or about September 7 and 10 and October 14, 1947, from the State of Nebraska into the States of Ohio, Texas, and Arizona.

PRODUCT: Examination showed that the device consisted of a clear plastic cylinder attached to a hand-propelled vacuum pump.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in accompanying circulars and instruction sheets headed "If You Are Young and Robust, 'Full of Pep'" and "Instructions For Using Our Vacuum Stimulator To The Male Organ" were false and misleading. The statements represented and suggested that the device would enable one to become mentally fit and able-bodied; that it would restore vitality, pep, ambition, and one's zest for life; that it would be efficacious in the treatment of nervousness, poor memory, lack of appetite, and stomach trouble, and in the treatment of an enlarged, inflamed, or faulty prostate gland, weak or lame back muscles, and leg or pelvic pains; that it would be efficacious in the cure, mitigation, and treatment of insomnia, poor blood condition, blood deficiencies, enlarged and hardened condition of the prostate gland, hot heaviness and aching depression in the region of the rectum, acute pains in the rectal region and in the sciatic nerves, pres-